

Criminal Justice Agencies Frequently Asked Questions

What is the Address Confidentiality Program (ACP)?

ARS §41-162

The ACP is a program that offers victim/survivors of domestic violence, sexual offenses, or stalking another way to keep themselves and their family safe by assisting them in protecting their confidential location from being disclosed through public records. ACP provides certified participants a legal substitute address and mail forwarding services. The ACP is part of an overall safety plan.

Is the ACP a new program?

ARS §§41-162, 41-169

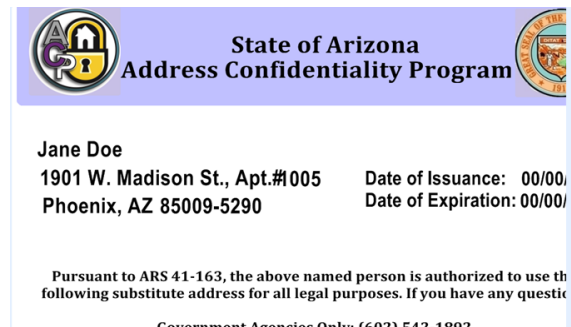
Yes. The ACP began in the summer of 2012. The program is administered by the Office of Secretary of State. Laws governing the program are located in Title 41, Article 3 and are funded by a \$50 assessment levied on persons convicted of domestic violence, sexual offenses, and stalking crimes (misdemeanor and felony).

How will I know if I am interacting with an ACP participant?

It is the ACP participant's responsibility to identify themselves as an ACP participant and present his/her authorization card to any local or state government agency or official when interacting with your services. For verification of a person's enrollment status in the ACP, you may call the government agency ACP line at (602) 542-1892.

What does the ACP Authorization Card look like?

As depicted in the sample card below, the ACP card shows the participant's substitute address including their apartment number and the participant's signature. It is only to be used to show they have the authority to use the substitute address.



What are the responsibilities of the criminal justice agencies and officials when a participant presents an ACP authorization card?

ARS §41-166 (B)

Criminal justice agencies and officials must accept the substitute address shown on the authorization card when presented by the participant for use as his/her residential, work, or school address. The substitute address is considered his/her legal address of record. The government agency may make a photocopy of the card for record keeping.

What is my responsibility if the participant gives me their actual confidential address, and does not identify themselves or show me the ACP authorization card?

ARS §41-166 (A)

If the participant provides you his/her confidential address and does not identify themselves as an ACP participant, then you have no responsibility to maintain the confidentiality of the address.

Is the participant's substitute address confidential?

No. The substitute address is the address that should display in all records related to a participant. Only the participant's actual address is confidential and cannot be forced to be disclosed.

What if a criminal justice agency needs the actual address of an ACP participant to fulfill their legal authority?

A criminal justice agency may seek an Emergency or Standard Request of Disclosure for Authorized Use from the Director of the ACP to release a participant's confidential, actual address. For instructions on how an agency requests the information from the ACP, can be found on our website.

How does the ACP participant receive legal documents such as service of process from the courts, prosecution, process servers, or other criminal justice agency/officials?

ARS §41-162 (C)

The ACP accepts legal mail on behalf of the participant. When a person enters into the program they designate the ACP as their legal agent for receipt of mail and for service of process. When ACP receives the service on behalf of the participant, it is the same as a participant receiving service. A participant's failure to comply with any legal document served could find the participant in contempt of court. Delay in mail cannot be used as an excuse to the court when failing to abide by the directions included in the legal document. If in-person service needs to occur, please contact 602-542-1892 to schedule a time to serve the Director or her designee on behalf of the participant.